United Nations S/PV.7879

Security Council

Seventy-second year

Provisional

7879th meeting
Wednesday, 8 February 2017, 10.15 a.m.
New York

President:	Mr. Yelchenko	(Ukraine)
Members:	Bolivia (Plurinational State of)	Mr. Llorentty Soliz
	China	Mr. Shen Bo
	Egypt	Mr. Aboulatta
	Ethiopia	Mr. Alemu
	France	Mr. Delattre
	Italy	Mr. Cardi
	Japan	Mr. Akahori
	Kazakhstan	Mr. Sadykov
	Russian Federation	Mr. Iliichev
	Senegal	Mr. Ciss
	Sweden	Mr. Skau
	United Kingdom of Great Britain and Northern Ireland	Mr. Wilson
	United States of America	Ms. Sison
	Uruguay	Mr. Rosselli

Agenda

The situation in Libya

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Martin Kobler, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Kobler.

Mr. Kobler: First, I would like to congratulate Ukraine on presiding over the Council this month.

More than a year has passed since the signing of the Libyan Political Agreement in Skhirat. That year, 2016, was spent seeking to implement the Agreement and to begin to re-establish State authority all across Libya. While there was not nearly enough progress, some important gains were made. The Presidency Council and Libyan economic institutions continue to work together on disbursing the funds of the 2017 budget. The budget will enable State institutions to deliver much-needed basic services. Oil production has increased to over 700,000 barrels per day. This provides the Libyan State with much-needed revenue.

On the security front, the Islamic State, which one year ago was expanding its territory in Libya, now controls none. It still poses a threat, however. I once again pay respect to those who lost their lives fighting terrorism on the battlefields in Sirte, Benghazi and elsewhere.

Despite these gains, Libyans are not yet in a position to address the root causes of division. This year must be a year of decisions — decisions on possible limited amendments to the Libyan Political Agreement that would enable the House of Representatives to endorse the Government of National Accord; decisions on how to form a strong, united army and police force, only after which armed groups can be effectively demobilized; and decisions on how best to utilize the revenues from oil and gas exports for the benefit of all Libyans and end the dire humanitarian situation in the country.

I would like to update the Council on the items I put before members at my last briefing (see S/PV.7827).

First, on current political issues, the past two months have brought visible progress and converging visions from the east, south and west on possible amendments to the Libyan Political Agreement. Most agree on the following principles. First, the Libyan Political Agreement must remain the framework of the political process. Secondly, solutions must be found through inclusive dialogue, and not resolved through violence. Thirdly, possible amendments to the Political Agreement should be endorsed by the House of Representatives as a package, followed by a constitutional amendment and the endorsement of the Government of National Accord. Lastly, the discussions should take place under the umbrella of the United Nations. However, the political process must be Libyan-led and Libyan-owned. Only Libyans can take decisions on the future of Libya.

In many meetings both inside and outside the country, possible amendments were discussed, in particular the question of the supreme commandership of the Libyan army; the chain of command of the army and in particular the role of General Haftar; and the future composition and role of the Presidency Council. I am confident that a format will be found in the next weeks within which these questions can be decided upon and recommendations can be put forth for approval to the relevant institutions.

In January, informal consultations of members of the Libyan political dialogue in Tunisia, and the 13 December Cairo communiqué, were important milestones in identifying contentious issues. However, no individual or group can decide the way forward alone. It must be a collective effort. All Libyan institutions need to uphold their responsibilities and obligations to implement the Agreement. Together, they can advance the process to endorse a Government. Only by doing this can they address the needs of Libyan citizens. In this regard, I urge the House of Representatives to conclude its deliberations and nominate its delegation for further discussions.

I would like to take this opportunity to recognize the efforts of the neighbouring States and regional organizations, which continue to contribute towards fostering consensus. I attended the neighbouring States

conference in Cairo on 21 January and the meeting of the African Union High-Level Committee on Libya in Brazzaville, under President Sassou Nguesso, on 27 January. I am impressed by the coherence of the approach of both the neighbouring States and the African Union. The Troika formed between the African Union, the League of Arab States and the United Nations has contributed to improving coordination and building trust. We agreed in a meeting in Cairo on 21 January to associate the European Union with this important forum. These past weeks have seen a truly best-practice effort on how to converge the views of Libyans, on the one side, and the African Union, the League of Arab States, the European Union and the neighbouring countries, on the other.

Secondly, no political process can continue without addressing the issue of armed groups and the proliferation of weapons. While some of these groups are nominally controlled by State institutions, too many are driven by narrow interests. The ongoing formation of the Presidential Guard is a step in the right direction. However, the Presidential Guard is no substitute for a unified Libyan army; it is a transitional measure. The Presidential Guard must be integrated once a consensus on the command structure of a future united Libyan army is reached. National security institutions, including the police, must be empowered and developed. There are no alternatives. Without a strong army and police, armed groups cannot be demobilized. The citizens of Libya deserve security and an end to the rampant crime and lawlessness.

Thirdly, while the Islamic State no longer controls territory, the fight against terrorism is far from finished. The country's borders remain porous. Terrorists, human and weapons traffickers and criminal gangs continue to exploit the security vacuum. Libya's neighbours are rightly concerned that this will affect their own security. I also welcome efforts of regional organizations, including the African Union and the European Union, to assist regional States in improving their capacities and coordination. Regional solutions are required to effectively and comprehensively address the security threats. Now is the time to consolidate the hard-won victories in the fight against terrorism. I am pleased by the efforts to create and deliver post-liberation plans in Sirte and Benghazi. I will continue to work with the Presidency Council and the international community to meet the humanitarian, stabilization, reconstruction and recovery needs.

Fourthly, recent months have seen positive developments in Libya's economic performance. Libya is a wealthy country with abundant natural resources. However, despite its wealth, living conditions and public services have deteriorated in recent years. Institutional frailty, poor financial management and corruption, among other factors, are taking their toll. Now, Libya has a unified budget. The Presidency Council and the Central Bank agreed on a 2017 budget framework of 37.5 billion Libyan dinars.

This is an opportunity to address much-needed service delivery. Some sectors must be prioritized. Health services are inadequate. Visiting a children's hospital in Tripoli, I saw first-hand the implications of poor management and insufficient financing. With the hospital lacking basic supplies and medicines, people were left to find their own means to relieve the suffering of their loved ones. The Presidency Council and the Government must quickly improve the poor service delivery and tackle outstanding economic challenges.

Fifthly, human rights, the rule of law and irregular migration must be addressed seriously and comprehensively. The rule of law continues to be undermined by armed groups that abduct, mistreat and commit other human rights abuses with impunity. This must end. I would like to make a special note on the plight of migrants. Libya's wealth has long made it attractive to economic migrants. Their labour continues to contribute to the development of the country. However, migrants are extremely vulnerable. Those held in detention have no legal recourse and suffer appalling conditions. Many have died.

The United Nations Support Mission in Libya and the Office of the High Commissioner for Human Rights published a report on 13 December detailing the disastrous situation and ill-treatment in detention centres. We have submitted concrete recommendations to the Libyan authorities and the international community. While fully understanding the concerns of neighbouring States and the region, all actions must respect international humanitarian law and the dignity of the migrants. I am working together with the International Organization for Migration, the Office of the High Commissioner for Human Rights and the Office of the United Nations High Commissioner for Refugees to address these problems. These efforts include saving lives at sea, combatting human trafficking, and training the Libyan Coast Guard.

I would also like to reiterate my continued support to the Chief Prosecutor of the International Criminal Court. Human trafficking may constitute a crime against humanity, and it could be prosecuted by the International Criminal Court.

Beyond institutional and political agreements, a national reconciliation process is long overdue. A process is needed to heal the wounds of years of conflict and oppression. In January, we held a workshop in Malta with Libyan experts and activists to establish a road map for national reconciliation for Libya. We need to find ways to support community reconciliation and make it resonate at the national level. We will establish more channels of communication between traditional leaders, elders and youth, and also with women, who too often remain at the margins of these processes.

I am encouraged by the renewed Libyan efforts and regional activity, in particular among Libya's neighbours, to overcome the political deadlock. We are beginning to see an emerging consensus among parties. The year 2017 must be a year of decisions and political breakthrough.

I would like to thank the Security Council for its cohesive support. There is no alternative to a sustainable Libyan-owned political solution. The Libyan Political Agreement still provides a viable framework for resolving differences and restoring the democratic transition. I am hopeful that, with bold decisions and actions, we will witness a political breakthrough that can place Libya back on the path of peace, prosperity and stability. The people of Libya deserve it.

The President: I thank Mr. Kobler for his briefing.

The representative of Uruguay has asked for the floor to make a statement.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): I thank Mr. Kobler for both his briefing and his steadfast work.

More than a year after the signing of the Libyan Political Agreement, regrettably no significant progress has been made in the political transition process that has given concrete legitimacy to the establishment of the Presidency Council of the Government of National Accord. The support the former has garnered within the Libyan political system has been minimal, which undermines the chances for quickly stabilizing the country and putting it back on the path to normalcy. It is crucial that the Presidency Council succeed in securing broad support among the population, thereby achieving full legitimacy, failing which it will be very difficult for it eventually to govern the country, or even the majority of its territory.

Among the few news we can highlight once again is the progress in the counter-terrorism fight, which has made it possible to defeat the troops of the Islamic State in Iraq and Syria, especially in the cities of Sirte and Benghazi. We also welcome the announcement by the Organization for the Prohibition of Chemical Weapons that the remaining Libyan chemical weapons arsenal had been eliminated following its removal from the country for subsequent destruction, in line with the provisions of resolution 2298 (2016).

We continue to be concerned about the serious humanitarian situation affecting the Libyan people, given that, according to the Office for the Coordination of Humanitarian Affairs, more than 1 million people are urgently in need of assistance. Similarly, we are concerned about information in the latest report (S/2016/1011) of the Secretary-General on the United Nations Support Mission in Libya (UNSMIL). The report condemns attacks against civilian infrastructure, especially hospitals and medical facilities. Almost one year since the adoption of resolution 2286 (2016), we note with concern the continuation of those crimes. As such, we would like to have more information about those attacks, to include how many have taken place, the number of victims and any other information that may be deemed relevant to shed light on such despicable acts.

The situation of migrants who use Libya as a country of origin and transit in order to cross over into Europe in flight from hunger, war and political crises in their countries continues to be a desperate one. In spite of the measures adopted by the Security Council, in 2016 the number of deaths resulting from shipwrecks in the Mediterranean Sea of vessels in a precarious state increased, although the total migration flows decreased as compared to previous years. In that connection, the meeting a few days ago between Prime Minister Serraj and European Union officials takes on special importance in trying to reduce migration flows. We hope that the measures to be adopted prioritize the human rights of migrants and refugees.

We reiterate our support for the Special Representative of the Secretary-General and for UNSMIL's role. We encourage them to continue their joint work with Prime Minister Serraj and the

Presidency Council of the Government of National Accord. That will be key in the Government being able to enjoy legitimacy throughout the country, which is the only way by which it will be able to urgently address the enormous challenges before it in responding to Libya's multiple and growing needs, including combating terrorism and the grave humanitarian, economic and security crisis affecting millions of people. In that context, we think it will be important to carefully set the Mission's new mandate. Likewise, the strategic assessment review recommended by the Secretary-General in his latest report will be a good opportunity for the presence of the United Nations in Libya to be adjusted to the political, operational and security realities on the ground.

The President: The representative of the Plurinational State of Bolivia has asked for the floor to make a statement.

Mr. Llorentty Soliz (Plurinational State of Bolivia) (*spoke in Spanish*): The Plurinational State of Bolivia appreciates the briefing by Mr. Martin Kobler, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, and reiterates its support for the work he and his team are doing.

We regret that there has not been significant progress in implementing the Libyan Political Agreement by the Government of National Accord, with the support of the Mission. Nevertheless, we underscore that any effort by the Security Council should lead to a peaceful political solution of the conflict that also comprehensively addresses the interests of the Libyan people and respects their rights.

We believe that it is important to acknowledge and encourage the resolute fight by the Libyan people and their Government against Da'esh. We underscore the fact that, as territory is liberated, the necessary humanitarian assistance be facilitated and ensured for the population. We vigorously condemn terrorism and any type of political, social or economic violence, regardless of the perpetrators or their motives.

Likewise, I would like to highlight the signing of a memorandum of understanding between Libya and Italy on 2 February, which aims at strengthening Libyan State institutions and, above all, to develop humanitarian support efforts for refugees escaping the region due to the grave humanitarian, political and economic crises affecting the region, who, according to figures released by the Office for the Coordination of Humanitarian Affairs, as of December 2016 totalled 313,000 persons since the conflict began in 2011.

It is important to arrive at a political solution that puts an end to the tragic situation not only in Libya but also in the region, given the alarming fact that so far this year 255 people have lost their lives in the Mediterranean while fleeing the crisis — in 2016 there were 4,218 such drowning deaths, according to a 5 February 2017 report by the International Maritime Organization.

We believe we have an obligation to look ahead and to support efforts towards a peaceful political solution to this tragic situation. However, as we have said previously, Bolivia believes it is timely and important to recall the causes for which the Security Council has to discuss this issue today. I refer once again to policies of intervention and regime change, through which entire populations have been decimated and onslaughts have been carried out that led to the emergence of the self-declared Islamic State and the rise of Da'esh. That phenomenon has spread to various countries of the region, ushering in a period of instability that continues to have a catastrophic effect to this day, and not just in the region.

We continue to remember the phrase

(*spoke in English*)

"We came, we saw he died".

(*spoke in Spanish*)

He did indeed die, but so did thousands upon thousands of Libyans died as well. In fact, thousands upon thousands of Libyans continue to die as an outcome of that political intervention. Allow me to recall a statement made by Mr. Michael Flynn, former Director of the United States Defense Intelligence Agency:

(*spoke in English*)

> "This was a disaster. This was not a failure; it was a disaster. We made it worse. All I know is that in Libya we took a guy out — again, not a great guy, but a guy who maintained stability in a bad neighbourhood".

(*spoke in Spanish*)

We believe that the international community must learn from the lessons of the past. Interventionism and regime change have led to an instability that goes

beyond the Middle East or North Africa. It is only in learning from these lessons that we can fulfil the mandate of the Charter of the United Nations and the aim of maintaining international peace and security, which constitutes the main objective of the work of the Council.

The President: I now give the floor to the representative of Libya.

Mr. Elmajerbi (Libya) (*spoke in Arabic*): At the outset, I should like to congratulate you, Sir, on assuming the presidency of the Security Council for this month. I would also like to thank Mr. Martin Kobler, Special Representative of the Secretary-General, for his briefing. I reaffirm the full support of the Government of National Accord for the efforts undertaken by the United Nations Support Mission in Libya (UNSMIL) to assist the Libyan parties in reaching a full consensus on the various issues of contention, with a view to putting an end to the crisis and bloodshed in Libya and relieving the Libyan people of their suffering.

It would be remiss of me not to commend neighbouring Arab countries for their central role and effotrs to settle the Libyan crisis. I recall in that regard the ministerial meeting held on 21 January in Cairo, which was presided over by the Minister for Foreign Affairs of Egypt. That meeting, which resulted in positive outcomes aimed at returning stability to Libya and maintaining its unity and the social cohesion of its people, was held in addition to various bilateral meetings convened by Egypt with various Libyan parties, such as the President of the House of Representatives and the Head of the Presidency Council of the Government of National Accord. We also commend the final communiqué of the meeting of the African Union High-level Committee on Libya, held in Brazzaville on 27 January. The communiqué called upon the Libyan parties to reach consensus on amending — if need be — the Libyan Political Agreement. It also reaffirmed the support of those countries to the Presidency Council, the House of Representatives and the State Council.

The suffering of the Libyan people continues to escalate by the day on all fronts. The deteriorating security situation and political fragmentation have affected the economy, security and status of health. Moreover, differing political viewpoints among stakeholders have led to prolonged instability and hindered the ability of the Government to carry out its tasks, in particular with regard to the livelihoods of our citizens. We hope that regional and international efforts to reach a political consensus among the Libyan parties that will restore stability and security to the country and enable the Government of National Accord to undertake its tasks to the best of its ability will continue.

Despite what has been said, there are some positive indicators on the economic front, exemplified by increased petroleum exports, which have reached 700,000 barrels per day. In addition, the sums pledged in the London meeting, which will enable the Government of National Accord to address the stifling problems currently facing citizens, have been disbursed.

In conclusion, we would like to stress that the success of the Government of National Accord depends on the implementation of the terms of the Political Agreement, starting with the security measures, including protection for Government buildings via the Presidential Guard, which is under formation. The measures include unifying the regular army and police, which are subject to military law under the command-and-control principle, securing Libyan cities and borders, providing all capabilities to those entities facing such challenges as terrorism, illegal migration and smuggling, and protecting the oil fields and the power stations. To ensure the appropriate undertaking of those tasks, such entities must be exempt from the embargo imposed by the Committee established pursuant to resolution 1970 (2011) concerning Libya, so that they can be supplied with weapons and necessary equipment.

The President: I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.45 a.m.